

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PERRY LEE LEWIS,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

Case No. C04-5706RBL

ORDER DENYING
PETITIONER'S MOTION TO
AMEND WRIT OF *HABEAS*
CORPUS

This matter is before the Court on petitioner's motion to amend writ of *habeas corpus*. (Dkt. #8).
The Court, having reviewed petitioner's motion and the balance of the record, hereby finds and ORDERS:

On February 16, 2005, the court ordered plaintiff to file by no later than March 18, 2005, an amended petition for writ of *habeas corpus* naming a proper respondent and showing that his grounds for federal relief have been properly exhausted in state court, or show cause why this matter should not be dismissed. (Dkt. #5). On April 5, 2005, the court granted petitioner's motion for a sixty-day continuance (Dkt. #6), and ordered him to file his amended petition by no later than June 5, 2005. (Dkt. #7).


Petitioner filed his motion to amend writ of *habeas corpus* on June 7, 2005, in which he responded to the court's order to show cause. Petitioner, however, was required to respond to the court's order by filing an amended petition, which he did not do. Accordingly, petitioner's motion (Dkt. #8) is DENIED.

Nevertheless, the court shall grant petitioner one more chance to cure the deficiencies in his petition by filing by **no later than July 14, 2005**, an amended petition naming a proper respondent and showing that his grounds for federal relief have been properly exhausted in state court. If petitioner fails to file an

1 amended petition by the above date, the court will recommend dismissal of this matter.

2 The Clerk shall send a copy of this Order to petitioner.

3 DATED this 14th day of June, 2005.

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6 Karen L. Strombom
7 United States Magistrate Judge
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